IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

COMPANY APPLICATION NO. 1199 OF 2006
IN
COMPANY PETITION NO. 868 OF 2005

In the matter of M/s. Avani Plantation Ltd.

Mr. Uday Padmakant Joshi. ... Applicant.

WITH

COMPANY APPLICATION NO. 1200 OF 2006
IN
COMPANY PETITION NO. 869 OF 2005

Mrs. Uma Padmakant Joshi. ... Applicant.

WITH

COMPANY APPLICATION NO. 1201 OF 2006
IN
COMPANY PETITION NO. 870 OF 2005

Dr. Padmakant Nathalal Joshi. ... Applicant.

WITH

COMPANY APPLICATION NO. 1202 OF 2006
IN
COMPANY PETITION NO. 871 OF 2005

Ms. Dipika Padmakant Joshi. ... Applicant.

....

Mr. L.C. Joshi for the Applicants.
Mrs. K.V. Gautam, Dy. O.L.

....

CORAM : DR. D.Y.CHANDRACHUD,J.

13th April 2007.

P.C. :

. All the Applicants have invested in the Respondent Company against which post dated cheques were issued. All the cheques were dishonoured. The Company Petition was admitted on 21st February 2006 and was advertised on 31st July 2006. No reply has been filed to the Company application which seek the appointment of a Provisional Liquidator. It has been averred in paragraph 5 of the affidavit in support that the Company is commercially insolvent and is unable to carry on the business. In the absence of any defence on the part of the Company which is absent despite service, the averments in the applicatiion will have to be accepted.

2. The Company Applications are made absolute in terms of prayer clauses (a) and (b).